App. F. IX-4

Previous References. 1943-44 (War)

W File No. 222-43

Serial Nos. 25

Later References.

(20)

GENERAL AND REVENUE SECRETARIAT

Serial Nos. One only

Part B for July 1944.

SUBJECT

Interpellations, Representations & Resolutions at the Budget Session of the L.C. 1944.

Jagannathan
19.7.44.

W 222-43-25.

Legislative Council
Budget Session - June 1944.

D.205/nsp

2799 W

174 175

Q.30.- Mr. MOHAMAD SAIT (Mysore cum Mandya cum Hassan-Muslim).- Will the Government be pleased to state.-

(a) whether it is not adopting in toto in the State all rules and orders promulgated under the Defence of India Ordinance by the Imperial Government of India;

(b) whether it is not levying on the State subjects all kinds of taxes and duties emanating from copying the rules enacted by the Imperial Government of India;

(c) the total amount of such taxes and duties collected during 1941-42, 1942-43, 1943-44 (anticipated) and 1944-45 (estimated);

(d) ~~when the State is not participating in the war,~~ how the amount is proposed to be utilised;

~~and~~ (e) ~~whether a part at least would be utilised to subsidise~~ private industrial enterprises?

(a) belongs to War Section, &
(b) & (c) to Fin. Branch.

W
Ltg.

D.205/nsp

CR

Q.501- Mr. MOHAMAD SAIT (Mysore cum Mandya cum Hassan-Muslim).- Will the Government be pleased to state.-

(a) whether it is not adopting in toto in the State all rules and orders promulgated under the Defence of India Ordinance by the Imperial Government of India;

(b) whether it is not levying on the State subjects all kinds of taxes and duties emanating from copying the rules enacted by the Imperial Government of India;

(c) the total amount of such taxes and duties collected during 1941-42, 1942-43, 1943-44 (anticipated) and 1944-45 (estimated);

(d) ~~when the State is not participating in the war~~, how the amount is proposed to be utilised;

~~(e) whether a part at least would be utilised to subsidise private industrial enterprises?~~

Rules and orders issued under the Acts of India are examined and such of them as have local application are adopted here.

Should for our views if the following reply may be given to clause (a).

"(a) ~~Rules~~ [Such of them as have local application are adopted with consequential modifications."]

A

30/5/44.

Sec

Secy to Govt

A. Dft

14063.
SECTARY.
31. MAY 1944
T. OF I. SURE

reply for approval.
Min R & D

OFFICE OF THE MINISTER FOR R... & LAW
2 JUNE 1944
No. 7776.

This will be sent to C.B. for being incorporated with other replies to other clauses of same.
5g 3/6/44.

5g (C.B.)
5/6. The other portion of the question is also dealt with in C.B. It may be sent to Fin as a/c.
B 5/6/44
(Fin Br)

5g 5/6. The Fe Dept does not deal with the question of levying taxes & duties under the Defence of India ordinance. Figures re (1) may be made available from the budget. The proper Branch to deal with the matter appears to be Medical (Excise Duties) or the Br. who handle all kind of price control orders. Subject for orders.
By 5/6

Please note if any such tax or duty has been levied in any section of Fin Br

H.4582 6/6

Take extracts of (b) & c for noting in form, if any, re: taxes dealt with in Fin. Br & return to D.C. through CB
QA 5/6
W.Hy. 6/6
QA 6/6

CB) Yes, Extract taken & the file returned
6/6/44

2799

W Suter for orders whether this may be returned to "war Section" for necessary action further

[illegible]
7/6/40

[illegible]
war Section)

[illegible]

[illegible]
8/6

M. 4680
13/6

The Mysore Legislative Council
Budget Session - June 1944.

...

Extract from Question No. 50: Mr. MOHAMAD SAIT (Mysore cum Mandya cum Hassan - Muslim).

xx xx xx

(b) whether it is not levying on the State subjects all kinds of taxes and duties emanating from copying the rules enacted by the Imperial Government of India.

(c) the total amount of such taxes and duties collected during 1941-42, 1942-43, 1943-44 (anticipated) and 1944-45 (estimated).

Question (b) has not been received in this Section.

2) Question (b) read with question (c) appears to relate only to such of the enactments in this State as have been promulgated under the Defence of India Rules as applied to Mysore. If this is so, there is only one levy imposed under "The Mysore Amusement and Betting Taxes and Stamps Duties (War Surcharge (Emergency) Act, 1943" which relates to the Stamps Section and there are none in the Excise and Registration Sections.

3) The A. Connected Act and Notifications are put up (pl. vide fls 6 to 11).

4) In the light of the above the following replies to the questions are submitted :-

(b) a surcharge has been levied on ad valorem Mysore Stamp Duty in Co where the subject-matter of the instrument concerned exceeds Rs 2,000/-

(c) ~~As~~ The ~~Duty~~ Surcharge was levied only from 16th Jan 1944. As figures of the ~~amount~~ realisation on this account during the Current or Coming year are available.

5) If it is, however, considered that the questions relate to all such Acts promulgated ever since the inauguration of the Govt. of India under the aegis of the Crown of England, there are the following enactments. ~~in pursuance of similar~~ in Mysore that follow the Govt. of India Regulations.

1. The Mysore Excise Act.
2. The Govt. of India Opium Act is applied to Mysore as it is
3. The Mysore Registration Act
4. The Mysore Stamps Act.

6) It is for orders if information in respect of the above Acts need be furnished.

7) (One file may be sent. 2 copies to the Asst. Secy Stamps & Registration and Excise.)

8) Full copy & not extracts would have been better - ~~it~~. It may be noted that clause (a) refers specifically to the Defence of India Act & Rules as applied to Mysore & clauses (b) & (c) that follow seem also to refer to the same Act. And hence the long-standing measures of taxation like the Excise, Regis. & Stamps & I.T do not seem to come within the scope of the question. Even the next Act "the Mysore Amusement & Betting Taxes & Stamp Duties (War Surcharge) Act (1943)" is designed to combat inflation & may not strictly come under the above clauses of the question.

9) (A separate note on the same lines has been sent to the Jt. Asstt. Secy. also

Subd Asstt. Secy. (Excise
" Regis & Stamps)

10/6/44

10) The question is vague. We evidently mean only items like Sugar Tax, Excise duty, etc.

11) Perhaps, we never want to mention out, that when a Tax is levied by the British Govt., we simply follow it, & impose it in our State also. But we do not blindly impose any & every Tax which is imposed by the Govt. of India. We impose it as

F20/1-e 91468

ng in conformity with financial principles
& ng when it is necessary & suitable to
impose Cesses. (a) & (b) are both
taxes not as yet imposed by E. P. T. in
Mysore.

12) The Question is vague & must be
properly answered. For (a) the reply answer
that it cannot be answered as it is
not definite. For (b) reply that the
Mysore Govt does not consider it
advisable to levy Estate Duty.
For imposing
such Cesses as are suitable to the Conditions
& financial expediency necessitates
to impose the Same.

13) As re: (a) no cannot give
any figures, as (b) is vaguely worded.

Jt Secretary) 3
12/6/44

14) A copy of the full question
may be obtained and put up.

12 6 44

Le Office
for compliance
Pa
13-6-

Mr JAS. 15) Kind attention is invited to Starred Question No. 174
in the List of Starred Questions put up.

14.6.44 Jt Secretary)
BVM
14/6.

4680 16) Kind reference is invited to Question 174 in the list put up below. From question (a) it is absolutely clear that the Member wants information in with regard to enactments following the Defence of India Rules.

17) Subd. with reference to para 14 supra. Attn Secy (Revs) r (Revs)

15/6 15-6

~~The following suggestion.~~

The question is very vague. Read with (a), (b) evidently relates to cases under the Defence of India rules. If so, there are no cases ~~under~~ falling under this category in Excise.

16/6.

Answer furnished in my w/s-

3/16/6

L.582 / 6/6/44

The Mysore Legislative Council
Budget Session - June 1944.

...

Extract from Question No. 50: Mr. MOHAMAD SAIT (Mysore cum Mandya cum Hassan - Muslim).

xx xx xx

(b) whether it is not levying on the State subjects all kinds of taxes and duties emanating from copying the rules enacted by the Imperial Government of India.

(c) the total amount of such taxes and duties collected during 1941-42, 1942-43, 1943-44 (anticipated) and 1944-45 (estimated)

xx xx xx

G.R.S. III—3]

ROUTINE NOTES

[To be used only for notes, requisitions, etc., not intended for permanent record.]

So far as the Income-tax Section of the Financial Branch is concerned, the following replies are suggested for consideration:-

(b) Leaving the State is levying Income-tax and Surcharge on Betting ~~Assessment Taxes~~

(c) The total amount of tax collected under Income-tax during the years,

1941-42	is	Rs. 42,05,69
1942-43	is	54,04,61
1943-44 (Estimated)		87,87,0[illegible]
1944-45 (Do)		93,72,0[illegible]

The Surcharge on Betting Tax is a new levy and as such no figures are available as to

N.B.—should routine notes be written on small slips, the notes must be copied or slips pasted on this form.

WD 078—GPB—30,000—25-7-40

Total yield y. revenue from surcharge.

Vrs
9/6/44. A full copy instead of an extract would have been better. ~~Clause~~ It may be seen from the original that clause (a) refers only to the Defence of India Act or Rules as applied to Mysore. Clauses (b) & (c) may not be taken independently or disjointedly. If so, (b) & (c) also relate to taxes & duties levied under the Defence of India rules as applied to Mysore. In this view, neither E.P.T nor any other long-standing measure of taxation like the Excise Regns. & Stamps comes under the clauses referred to. The Mysore Amusements & Betting Taxes & Stamps (War surcharge) Act 1944 is a new measure this does not come directly under the Defence of India Act as applied to Mysore - but is a measure "designed to combat inflation in Mysore" & follows a similar enactment in Bombay. It is for consideration if this may be brought under clauses (b) & (c) of the interpellation

Returned to CR.

A separate note on similar lines has been sent to the Asstt. Secy (Excise)

By

copy put up below

sent for orders.

By
10/6/44 — Please put up a complete copy of the Interpn for refce.
Q 6/6/44

Reference is invited to Question No 174. Vide also the linked file relating to the same question (Excise etc) & notes & orders thereon

Vrs
16/6/44

By
16/6

Reference is invited to Question 174 ibid the printed copy below (a) is a general enquiry re: genera adoption of Defence of India Rules in Mysore, and has to be perhaps

4582

answered by the Hon'ble Section

Re: Cl(b), the question is too vague to be answered. I do not think any "taxes & duties" emanate from copying the rules enacted by the Govt of India. (c) & (d) are Consequential. A general answer that it is not clear what taxes exactly are referred to may do.

[So far as I.T. is concerned, while we have been Coordinating our anti-inflationary policy with that followed in Br. India, we have not copied their enactment, but introduced suitable changes year by year to suit our needs. A separate figure indicating the increase in revenue on account of each individual amendment may not be possible to give. No figures are yet available of revenue from the Surcharge on Betting Tax etc. recently issued] -

QPolb/6

Jun 6

OFFICE OF THE MINISTER FOR EDUCATION
Date 21/6/1966
No. 8238

(b). The question is too vague and general to be answered.

(c). Requires no answer in view of reply to (b).

Send replies accordingly

Min. Ed.]

19/6 19/6/66

L.C. Interpellation — June 44

Four copies of answers to Question No 174 out of eight already forwarding Item to the Hon'ble Secretary, Mysore Legislature, are sent herewith for approval & other orders

Ks
22/6/44

By 22/6

Issued No 7446854 dated 22/6/44

Orders may have to be obtained as to the officer who is to be in charge of this interpellation

Not necessary. (It is only in respect of resolutions that an officer has to be in definite charge of them)

Ks
22/6/44

By 23/6

yes.

(Printed out from Mr. C. Hanumaiah's question against whose name the question has been put - for being answered) for being

23/6

3076/W.

Continuation Sheet. File No. / Current No. 588/Le of Page.

Replies to Starred Question No 174.

(a) The question relates to the Rules & Orders promulgated under the Defence of India Act & the levying of taxes as a result of passing these orders

Clauses (b) (c) have been answered by the Fin Secrt.

Clause (d) has to be answered by the Fin Secretariat

Clause (a) has to be answered by the War Section.

The file may be passed on to the War Section for furnishing answers to Clause (a), and for consolidating the replies and furnishing information as to the Officer who will be in charge of the Question.

Subd. for orders.

26.6.44

26.6.44

War Section)

Submitted with the file an answer to (a).

26/6.

Please answer to answer as already submitted

Submitted a consolidated reply.

26/6.

Minister for Education

30/6/44

J.

15329

CHIEF SECRETARY. 26. JUN. 1944 GOVT. OF MYSORE.

OFFICE OF THE MINISTER FOR EDUCATION 30.6.44 8581

Attn.
The question may be answered by the enclosed reply.

3076

W
1/11/44

~~Typing Section~~

2a 2. C Office with the typed Copies of the reply.

3a
1/7. Copies taken
D/1/7. Wardrobe).9

8548/ADM.

B.
4/7

71.685 44/ 22/4/49 Re (a) It is presumed a reply is being sent by the Dept which deals with A.C.S Rules & Manual in connection

Forwarded to the Secretary, Mysore Legislature, for kindly taking delivery of the copies of answers (enclosed herein) to Question No. 174 by Mr. Mr. Mohamad Sait.

By order,

For Financial Secretary to Govt.

THE MYSORE LEGISLATIVE COUNCIL.

Budget Session - June 1944.

Question No. 174 - Mr. MOHAMAD SAIT (Mysore cum Mandya cum Hassan - Muslim).

Will the Government be pleased to state:-

xx QUESTION.	xx	xx ANSWER:
(b) whether they are not levying on the State subjects all kinds of taxes and duties emanating from copying the rules enacted by the Imperial Govt. of India;	)	The question is too vague and general, to be answered.
(c) the total amount of such taxes and duties collected during 1941-42, 1942-43, 1943-44 (anticipated) and 1944-45 (estimated);	)	Requires no answer in view of reply to (b) above.

For Financial Secretary to Government.

1/5

Legislative Council - Budget Session - June-July 1944.

Starred Question No.174.

Mr. Mohamad Sait (Mysore cum Mandya cum Hassan - Muslim)

By - Chief Sy.

Questions	Answers.
Will the Government be pleased to state-	
(a) Whether they are not adopting in toto in the State all rules and orders promulgated under the Defence of India Ordinance by the Imperial Government of India;	Such of them as have local application are adopted with suitable modifications.
(b) Whether they are not levying, on the State subjects all kinds of taxes and duties emanating from copying the rules enacted by the Imperial Government of India	The question is too vague and general to be answered.
(c) The total amount of such taxes and duties collected during 1941-42, 1942-43, 1943-44 (anticipated) and 1944-45 (estimated)	These Questions do not arse ~~Requires no answer in~~ view of reply to (b) above.
(d) How the amount is proposed to be utilised	Requires no ~~answer~~ in view of reply to (b) ~~above~~.

W

30/6/44